

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 12/2/2019

-----X  
UNITED STATES OF AMERICA,

Plaintiff,

-against-

KAREEM DAVIS,

Defendant.  
-----X

17 Cr. 610-16 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, a final pretrial conference was held on December 2, 2019. It is hereby

**ORDERED** that, for the reasons discussed at the conference, the Government's Motions *in Limine* to admit certain evidence and testimony are resolved as follows:

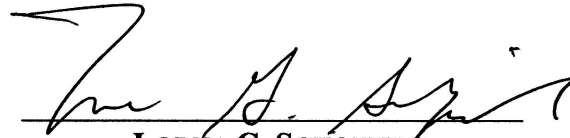
1. Because the Government has stated that it may not call CW-2 at trial, decision is reserved regarding the request to admit CW-2's testimony.
2. As Defendant does not object to the Government's request to admit the first and third 911 calls by CW-1, these calls will be admitted.
3. As to the sixth 911 call by Caller-6, to which Defendant objected, this call will be admitted as an excited utterance or present sense impression under Federal Rules of Evidence 803(1)-(2). It is further

**ORDERED** that Defendant shall file a letter by **December 5, 2019, at noon**, stating whether he objects to the admission of any of the exhibits on the Government's proposed exhibit list, updated December 2, 2019, and if so, the ground(s) for the objection. This is without prejudice to any further objection by Defendant when an exhibit is offered at trial. However, counsel should be aware that speaking objections are not permitted. The letter shall also state whether Defendant stipulates to any proposed Government exhibit, either as to the exhibit's authenticity or admissibility. It is further

**ORDERED** that the parties shall file by **December 5, 2019, at noon**, any additional requested charging language for the Preliminary or Final Charge, or any cautionary instructions for the jury during trial.

The Clerk of Court is respectfully directed to close Dkt. Nos. 500 and 510.

Dated: December 2, 2019  
New York, New York

A handwritten signature in black ink, appearing to read 'Lorna G. Schofield', written over a horizontal line.

**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**